

DANIEL G. BOGDEN  
United States Attorney  
PHILLIP N. SMITH, JR.  
Assistant United States Attorney  
Lloyd D. George United States Courthouse  
333 Las Vegas Blvd. South, Suite 5000  
Las Vegas, Nevada 89101  
(702) 388-6336

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

|                             |   |                            |
|-----------------------------|---|----------------------------|
| UNITED STATES OF AMERICA,   | ) | <b>2:14-CR-228-JAD-CWH</b> |
|                             | ) |                            |
|                             | ) |                            |
| Plaintiff,                  | ) |                            |
|                             | ) |                            |
| v.                          | ) |                            |
|                             | ) |                            |
| CHARLES EDWARD COOPER, JR., | ) |                            |
|                             | ) |                            |
| Defendant.                  | ) |                            |
| _____                       | ) |                            |

**STIPULATION FOR EXTENSION OF TIME**

IT IS HEREBY STIPULATED AND AGREED, by and between Daniel G. Bogden, United States Attorney, and Phillip N. Smith, Jr., Assistant United States Attorney, counsel for the United States of America, and James A. Oronoz, Esq., counsel for Defendant CHARLES EDWARD COOPER, JR., that the date for the Government to file a response to the Defendant's Motion to Suppress (Docket #75) be extended for two (2) weeks.

This stipulation is entered for the following reasons:

1. On November 3, 2015, the Defendant filed a Motion to Suppress. *See* Docket #75. PACER set the Government's response deadline for November 20, 2015.
2. On December 8, 2015, undersigned counsel for the United States began a trial in the matter of *United States v. Michael Beale*, case number 2:15-cr-156-JAD-PAL. The trial lasted until December 10, 2015.

1           3.       Counsel for the Defendant filed a motion that may have affected whether or not  
2 he would continue to represent the Defendant. After a hearing on the motion, the Court ordered  
3 that present counsel for the Defendant would continue to represent him. The Defendant's trial is  
4 currently set for January 5, 2016.

5           4.       The Defendant is incarcerated, but he does not object to the continuance of the  
6 Government's response deadline.

7           5.       The additional time requested herein is not sought for purposes of delay, but  
8 merely to allow counsel for the Government adequate time to prepare an adequate response to  
9 the Defendant's motion.

10          6.       Additionally, denial of this request for continuance could result in a miscarriage  
11 of justice.

12          7.       This is the second stipulation filed herein to continue the Government's response  
13 deadline.

14           DATED: December 14, 2015.

15  
16           \_\_\_\_\_/s/  
17 PHILLIP N. SMITH, JR.  
18 Assistant United States Attorney  
19 Counsel for the United States  
20  
21  
22  
23  
24  
25  
26  
27  
28

\_\_\_\_\_/s/  
JAMES A. ORONoz, ESQ.  
Counsel for Defendant CHARLES COOPER

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

\* \* \*

|                             |   |                            |
|-----------------------------|---|----------------------------|
| UNITED STATES OF AMERICA,   | ) | <b>2:14-CR-228-JAD-CWH</b> |
|                             | ) |                            |
|                             | ) |                            |
| Plaintiff,                  | ) |                            |
|                             | ) |                            |
| v.                          | ) |                            |
|                             | ) |                            |
| CHARLES EDWARD COOPER, JR., | ) |                            |
|                             | ) |                            |
| Defendant.                  | ) |                            |
| _____                       | ) |                            |

**FINDINGS OF FACT**

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds that:

1. On November 3, 2015, the Defendant filed a Motion to Suppress. *See* Docket #75. PACER set the Government's response deadline for November 20, 2015.

2. On December 8, 2015, undersigned counsel for the United States began a trial in the matter of *United States v. Michael Beale*, case number 2:15-cr-156-JAD-PAL. The trial lasted until December 10, 2015.

3. Counsel for the Defendant filed a motion that may have affected whether or not he would continue to represent the Defendant. After a hearing on the motion, the Court ordered that present counsel for the Defendant would continue to represent him. The Defendant's trial is currently set for January 5, 2016.

4. The Defendant is incarcerated, but he does not object to the continuance of the Government's response deadline.

1           5.       The additional time requested herein is not sought for purposes of delay, but  
2 merely to allow counsel for the Government adequate time to prepare an adequate response to  
3 the Defendant's motion.

4           6.       Additionally, denial of this request for continuance could result in a miscarriage  
5 of justice.

6           7.       This is the second stipulation filed herein to continue the Government's response  
7 deadline.

8           For all of the above-stated reasons, the ends of justice would best be served by a  
9 continuance of the motion response deadline.

10                               **CONCLUSIONS OF LAW**

11           The additional time requested herein is not sought for purposes of delay, but merely to  
12 allow the Government adequate time to prepare a response, taking into account due diligence.  
13 The failure to grant said continuance would likely result in a miscarriage of justice.

14                               **ORDER**

15           IT IS THEREFORE ORDERED, that the previously-scheduled response deadline for the  
16 Government to respond to the Defendant's Motion to Suppress (Docket #75) is extended until  
17 December 29, 2015.

18  
19                                 
20                               UNITED STATES MAGISTRATE JUDGE

21                               DATED: December 15, 2015  
22  
23  
24  
25  
26  
27  
28